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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 159**

**The Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019**

**PART 8**

**MISCELLANEOUS**

**The Destructive Imported Animals Act (Northern Ireland) 1933**

**30.**—(1) A person may not by reason of the same act be convicted of both—

- (a) an offence under this Order; and
- (b) an offence under the Destructive Imported Animals Act (Northern Ireland) 1933 (“the 1933 Act”)(1).

(2) In so far as any act authorised by a permit or a licence under this Order would otherwise be an offence under section 6 of the 1933 Act (provisions as to offences) unless authorised by a 1933 Act licence, the permit or licence has effect for the purposes of that Act as if it were a 1933 Act licence, authorising that act to the extent authorised by the permit or licence and (so far as relevant to the offence in question) subject to the conditions to which it is subject, including (in the case of a permit) the conditions specified in paragraphs 2 and 3 of Article 8 (permits) of the Principal Regulation.

(3) In so far as any act authorised by a 1933 Act licence would otherwise be an offence under this Order unless authorised by a permit issued under Article 28(1)(a) or (b), and could have been authorised by such a permit, the 1933 Act licence has effect for the purposes of this Order as if it were a permit under this Order, authorising that act to the extent authorised by the 1933 Act licence, and (so far as relevant to the offence in question) subject to the conditions to which the 1933 Act licence is subject and the conditions specified in paragraphs 2 and 3 of Article 8 of the Principal Regulation.

(4) In so far as any act authorised by a 1933 Act licence would otherwise be an offence under this Order unless authorised by a licence, and could have been authorised by such a licence, the 1933 Act licence has effect for the purposes of this Order as if it were a licence under this Order, authorising that act to the extent authorised by the 1933 Act licence, and (so far as relevant to the offence in question) subject to the conditions to which the 1933 Act licence is subject.

(5) In this Article, “1933 Act licence” means a licence granted under section 3 (grant and revocation of licences) of the 1933 Act, or a special licence granted under section 7 (saving in respect of animals kept for exhibition, etc.) of that Act.

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(1) 1933 c. 5 (N.I.).